

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

**AGENCY:** Department of Marine Resources

**STATUTORY AUTHORITY:** 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.04 I, Closed Area No. 38, Burnt Cove to Webb Cove, Stonington AND The Northwest Branch of Crockett Cove, Deer Isle and Stonington; promulgated on December 17, 1993, is repealed and replaced with the following rule:

**TEXT OF RULE:** 95.04 I, Closed Area No. 38, Stonington Harbor AND The Northwest Branch of Crockett Cove, Deer Isle and Stonington.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Stonington Harbor, northerly (inland) of a line beginning at the southwesternmost point of Moose Island, then running southeast to a red nun #24, then east-northeast to the northwestern most ledge of the Dow Ledges, then north to the mouth of the Ames Pond stream; AND the northwest branch of Crockett Cove, on the Deer Isle / Stonington line. This prohibited area lies inland (northeasterly) of a line starting at a red painted post located 250 yards southwest of where the Stonington town line crosses the Burnt Cove Rd., then running 210 yards southeast to the head of the nearest peninsula in Stonington.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

**EFFECTIVE DATE:** November 28, 2001

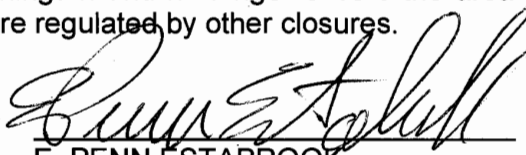
**AGENCY CONTACT PERSON:** Amy Fitzpatrick  
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McKown Point  
West Boothbay, ME 04575

**BANGOR DAILY NEWS**  
December 3, 2001

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 I, Closed Area No. 38, Burnt Cove to Webb Cove, Stonington AND The Northwest Branch of Crockett Cove, Deer Isle and Stonington; promulgated on December 17, 1993, and replaces it with a new regulation which decreases the size of the shellfish closure. That part of the former closed area 38 from Moose Island northwest to Fifield Point is now regulated by new closure 38C, and Burnt Cove, West Stonington, will remain closed under the regulation of closure 38B.

Department personnel have surveyed the area and determined that past pollution threats no longer exist. This new closure opens shoreline in East Stonington and no longer covers the area from Moose Island to Fifield Point and Burnt Cove since those areas are regulated by other closures.

  
E. PENN ESTABROOK  
DEPUTY COMMISSIONER



# Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area  
For: Stonington

**C38 - Stonington Harbor and the northwest branch of Crockett Cove. 11/28/01**

